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HOUSE MEMORIAL 52

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Mimi Stewart

A MEMORIAL

REQUESTING THE LEGISLATIVE EDUCATION STUDY COMMITTEE TO STUDY
THE PROVISIONS IN HOUSE BILLS 914 AND 937 OF THE FIRST SESSION
OF THE FORTY-SEVENTH LEGISLATURE AND MAKE RECOMMENDATIONS
REGARDING THE SCHOOL PERSONNEL ACT AND SCHOOL DISTRICT
GOVERNANCE TO THE SECOND SESSION OF THE FORTY-SEVENTH
LEGISLATURE.

WHEREAS, the New Mexico legislative council appointed the
education initiatives and accountability task force in 1999 to
study the public school system in New Mexico and make
recommendations for educational reform; and

WHEREAS, the task force consisted of past and present
legislators; educators, including teachers and administrators;
school employee union representatives; local and state school
board members; parents; business people; and other

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1 professionals and representatives of educational organizations;
2 and

3 WHEREAS, the task force worked diligently over two
4 interims to design a public education system that would ensure
5 student success, and a major component of that system involved
6 much higher expectations for teachers and administrators and
7 the concomitant greater rewards for professional teachers and
8 administrators through increased salaries; and

9 WHEREAS, the task force believed that while students were
10 the primary focus of the education system, the system itself
11 must be efficient, effective and accountable and that student
12 success is largely dependent upon a governance structure
13 constructed in such a manner that it can be held accountable
14 for how well it accomplishes the job of delivering educational
15 services; and

16 WHEREAS, the task force's education reform initiatives, as
17 first introduced in 2001 and finally signed in 2003, require
18 that professional school administrators take on the job of
19 hiring, terminating, discharging and disciplining school
20 personnel and require that local school boards focus their
21 attention on developing essential educational policies,
22 including performance measures and other components of the
23 school district's accountability and assessment system, that
24 will ensure the provision of the best educational services that
25 will lead to student success; and

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1 WHEREAS, the assumption of the current governance
2 structure is that each local school board will employ the best
3 superintendent it can and then hold that person directly
4 responsible for the operation of the district, including
5 management of district personnel and the district's performance
6 and achievement of adequate yearly progress, and, if the board
7 finds him wanting, terminate him; and

8 WHEREAS, there are disagreements between state and local
9 policymakers as to whether the local governance structure
10 contemplated by the task force is the best alternative, as
11 evidenced by the conflicting testimony before the house
12 education committee; and

13 WHEREAS, several members of local school boards presented
14 testimony that appeals of personnel decisions by the local
15 superintendent should be heard by the locally elected school
16 boards, as was done prior to the 2003 education reform measure;
17 and

18 WHEREAS, both the proponents and the opponents of House
19 Bills 914 and 937 presented cogent arguments in defense of
20 their positions, and the house education committee was not able
21 to craft a compromise that satisfied both sides of the issue;
22 and

23 WHEREAS, the governance structure of school districts is a
24 bedrock issue in the public school system and requires more
25 consideration than can be provided in the latter days of this,

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1 the busiest session on record;

2 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
3 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the legislative
4 education study committee be requested to study the issues
5 raised in this year's House Bills 914 and 937 and their
6 proposed substitutes; and

7 BE IT FURTHER RESOLVED that the committee report to the
8 legislature by January 1, 2006 on its findings and
9 recommendations on the School Personnel Act, local governance
10 and the respective roles of local superintendents and local
11 school boards; and

12 BE IT FURTHER RESOLVED that copies of this memorial be
13 transmitted to the members of the legislative education study
14 committee.